IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.525 OF 2007
IN
APPEAL FROM ORDER NO.120 OF 2007
IN
NOTICE OF MOTION NO.920 OF 2005
IN
L.C. SUIT NO.1043 OF 2005

Dr. Namdeo Arjun Raut .. Petitioner
v/s.
The Municipal Corporation of Gr.Bombay and another .. Respondents

ALONGWITH

CIVIL APPLICATION NO.526 OF 2007
IN
APPEAL FROM ORDER NO.121 OF 2007
IN
NOTICE OF MOTION NO.919 OF 2005
IN
L.C. SUIT NO.1042 OF 2005

MR. Robert Fernandes .. Petitioner
v/s.
The Municipal Corporation of Gr.Bombay and another .. Respondents

Ms. Sangita Musle i/by Mr. Vinay Hegde for the petitioner.
Ms. Geeta Joglekar for the respondents.

CORAM : A.M. KHANWILKAR, J.
DATED : 18TH JUNE, 2007

P.C.

These applications are opposed by the respondent-Corporation. However, inspite of the order dated February 20, 2007, it is fairly accepted by the

counsel for the Corporation that no steps have been taken so far in regard to the suit structure. If it is so, in the interest of justice, the petitioner can be permitted to apply to the Corporation for regularisation of the suit structure, if permissible by law. Such application be made to the Executive Engineer (Building Proposal), Western Suburbs, Mumbai, within two weeks from today, failing which it will be open to the Corporation to proceed against the suit structure in accordance with law. If requisite application is filed by the petitioner to the appropriate authority accompanied by all requisite documents within time, the appropriate authority may consider the same within six weeks from receipt thereof and pass final orders as may be advised. Till final decision is taken on such application, no precipitative steps be taken against the suit structure.

Both the applications disposed of the above terms.

(A.M. KHANWILKAR, J.)